

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAKAI et al.

Application No.: 09/897,988

Filing Date: July 5, 2001

For: METHOD FOR PRODUCING
SUBSTANCE UTILIZING
MICROORGANISM

Art Unit: 1633

Examiner: Maria Marvich

Attorney Ref. No.: US-1420

Confirmation No.: 1677

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the primary examiner in the above-captioned patent application.

Please charge the fee of \$540 (fee code 1401) under 37 C.F.R. § 1.17(b)

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A Petition for Extension of Time under 37 C.F.R. § 1.136(a) is enclosed herewith.

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Respectfully submitted,

/Shelly Guest Cermak/

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Reg. No. 39,571

Date: November 5, 2010